

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

ROMONA DEFRIES AND LARRY DEFRIES	:	DOCKET NO. 12-836
	:	JUDGE MINALDI
VS.		
THE HOME DEPOT U.S.A, INC. AND TRENT FRAZIER	:	MAGISTRATE JUDGE KAY

REPORT AND RECOMMENDATION

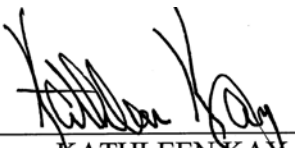
In a separately issued Memorandum Order this court denied plaintiffs' motion to remand and determined that plaintiffs have not state a cause of action against the named defendant Trent Frazier. For the reasons stated in the Memorandum Order this court recommends that the plaintiff's claims against Trent Frazier be DISMISSED.

Under the provisions of U.S.C. § 636 and Fed.R.Civ.P. 72, parties aggrieved by this recommendation have fourteen (14) business days from services of this report and recommendation to file specific, written objections with the Clerk of Court. A party may respond to another party's objections within fourteen days after being served with a copy of any objections or response to the District judge at the time of filing.

Failure to file written objections to the proposed factual findings and/or the proposed legal conclusions reflected in this Report and Recommendation within fourteen (14) days following the date of its service, or within the time frame authorized by Fed.R.Civ.P. 6(b), shall bar an aggrieved party from attacking either factual findings or the legal conclusions accepted by

the District Court, except upon grounds of plain error. *See Douglass v. United Services Auto. Ass'n*, 79 F.3d 1415 (5th Cir. 1996).

THUS DONE this 20th day of July, 2012.



KATHLEEN KAY
UNITED STATES MAGISTRATE JUDGE